

REMARKS

Upon entry of the present amendment, claims 5-8 will have been amended while new claims 9-13 will have been submitted for consideration by the Examiner. In view of the herein contained remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant wishes to thank the Examiner for acknowledging his Claim for Foreign Priority under 35 U.S.C. § 119 as well as for confirming that the certified copy of the priority document had been received.

Applicant further respectfully thanks the Examiner for confirming the consideration of all the documents cited in the Information Disclosure Statement filed in the present application on February 27, 2002.

In the outstanding Official Action, the Examiner objected to the specification because of a noted informality. By the present Response, Applicant has amended the specification to eliminate the noted informality. Further, Applicant respectfully thanks the Examiner for bringing this matter to his attention so that it could be corrected.

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The Examiner rejected claims 1-3 and 7 under 35 U.S.C. § 102(b) as being anticipated by OTA et al. (U.S. Patent No. 6,061,079). Applicant respectfully traverses the above rejection and submits that it is inappropriate.

Initially, and before addressing the rejection of the claims on the merits, Applicant wishes to point out that on the PTO-892 Form attached to the above-noted Official Action, the patent number of the cited and applied OTA et al. reference was incorrectly listed. In particular, on the PTO-892 Form, OTA et al. was identified by Patent No. 6,601,079 whereas, in fact, the correct number is 6,061,079. Accordingly, Applicant respectfully requests that the Examiner correct the number of the cited and applied reference.

In setting forth the rejection, the Examiner asserted that OTA et al. discloses, inter alia, first and second mirrors (12a and 13a; 12b and 13b) that are movable. Applicant respectfully submits that the Examiner is incorrect. Accordingly, Applicant respectfully traverses the above rejection, submits that it is inappropriate and that the claims pending in the present application are clearly patentable over the cited reference.

Initially, Applicant notes that the object of the present invention is to eliminate errors in the image printed on the paper as a result of errors in manufacturing of the optical elements or errors in the alignment of the optical elements during the assembly of the apparatus. To this effect, according to the teachings of the present invention, mirrors are provided and are mounted such that their position can be adjusted within the scanning

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system. Thus, the mirror moving mechanisms of the present invention are provided so as to compensate for the error in the size of the image printed on the paper. OTA et al. does not provide the same combination of features and in particular, does not provide movable first and second mirrors as is recited in Applicant's claims.

In this regard, Applicant notes that the Examiner has directed his attention to the "optical path length adjusting means 12a/13a and 12b/13b" at the top of column 4 of OTA et al. However, while OTA et al. does use the term "adjusting means", it does not refer to movement of the mirrors, as is recited in Applicant's invention.

As can be seen in, for example, Figure 1 of OTA et al., after the beam emitted by the laser 1 has been reflected and deflected by the surface of the deflector 4 and is incident onto the beam separating means 7, the beam is split by the beam separating means 7 into (referring to the left hand of Figure 1) a first beam that is incident onto mirrors 12b, 13b and photoreceptor 21c and a second beam that is incident onto the mirror 9b and the photoreceptor 21d. As is apparent from Fig. 1, in the absence of the mirrors 12b and 13b, the path length of the first beam would be significantly different than the path length of the second beam that is incident onto photoreceptor 21d. Thus, mirrors 12b and 13b are provided to adjust (i.e., to equalize) the optical paths of the beams incident onto photoreceptors 21d and 21c.

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However, although OTA et al. does refer to such mirrors as adjusting means, OTA et al. does not mean that the mirrors are moved to adjust the optical path but that the presence of the mirrors serves to adjust the optical length by ensuring that the optical path length for the beam incident onto photoreceptor 21d is the same as the optical path length for the beam incident onto photoreceptor 21c. OTA et al. does not relate to mirrors that are moveable rather OTA et al. relates to mirrors that are provided in order to result in an adjusting or compensating function.

In direct contrast, the mirrors recited in Applicant's claims are moved in order to provide for elimination of the error in the width of the scanning range and the resultant error size of the image printed on the paper.

That Applicant's above-described interpretation of the disclosure of OTA et al. is correct can clearly be seen by reference to the paragraph of the disclosure bridging columns 3 and 4. In particular, after describing the optical path length adjusting means, OTA et al. indicates that they serve to "equalize" the optical path lengths from the laser array 1 to the respective photoreceptors 21a-21d. However, as noted above, there is no disclosure whatsoever in OTA et al. that any of the mirrors disclosed therein are movable. Because of the lack of this recited feature of Applicant's invention, it is respectfully submitted that OTA et al. is an inappropriate and inadequate basis for the rejection of any of the claims in the

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present application and Applicant respectfully requests an indication to such effect in due course.

Moreover, movement of the first and second mirrors is not required in OTA et al. in order to equalize the optical paths. Rather, the mere presence of the mirrors is adequate to perform such equalization.

It is respectfully submitted that the dependent claims of the present application provide yet additional bases for the patentability thereof in addition to the bases provided by the independent claim from which they depend. In this regard, Applicant notes the Examiner's assertions of obviousness with respect to claims 4, 6 and 8. Applicant respectfully traverses the same and submits that the Examiner has set forth no motivation whatsoever flowing from the prior art of record to justify such proposed modifications. Particularly regarding claim 4, there is no indication whatsoever in OTA et al. that the two mirrors have to be moved in a proportional fashion since there is no disclosure thereof of any movement of the mirrors at all.

Accordingly, for each of the above reasons and certainly for all of the above reasons, it is respectfully submitted that the claims in the present application are clearly patentable over OTA et al. and an action to such effect is respectfully requested in due course.

By the present Response, Applicant has submitted several additional claims for consideration by the Examiner and respectfully submits that these claims are clearly

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patentable over the references cited herein. Moreover, each of the newly submitted claims finds clear antecedent basis and support in the original application as filed. Accordingly, Applicant respectfully requests entry and consideration of the newly submitted claims together with an indication of the allowability thereof in due course.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has discussed the disclosure of the reference relied upon by the Examiner and has pointed out the substantial and significant shortcomings thereof with respect to the features recited in Applicant's claims. Applicant has further discussed the recitations of the claims and has pointed out those features of the claims not taught, disclosed nor rendered obvious by the reference cited by the Examiner.

Applicant has submitted several additional claims and with respect to these claims, has set forth a basis for the patentability thereof.

Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

